

VETERANS BENEFITS

**Wilson
Wilson &
LAW OFFICES**

**THE CENTER FOR ESTATE
PLANNING AND ELDER LAW**

General Qualifications for Non-Service Connected Aid and Attendance*

Claimant may be a Veteran, the widowed spouse, dependent or disabled child.

- The Claimant may be a Veteran, the Veteran's Widowed Spouse, or the Veteran's Minor or Adult Disabled Child.
- Veteran must have served at least 90 days active duty with one day of the ninety during a qualified war period.
- Veteran's discharge cannot be "dishonorable."
- Claimant with no medical needs may qualify for a base or low income pension if he/she is over 65. To receive the rating of Housebound or Aid & Attendance, a physician's statement must be produced confirming the Claimant requires assistance to leave his/her home and/or needs assistance with his/her activities of daily living.
- A Widowed Spouse making a claim for benefits must have been married to the Veteran for at least one year OR have had a child by the Veteran.
- A Widowed Spouse making a claim for benefits must have been living with the Veteran at the time of the Veteran's death, unless the separation was due to medical or military reasons, or in some instances, reasons relating to abuse. Although there are exceptions, remarriage by the Widowed Spouse terminates the ability to make a claim on the deceased spouse's service record.
- Minor or disabled adult children may qualify for limited benefits on their own or may provide for an increase in the Claimant's award.
- Claimant's household out of pocket medical expenses must exceed or come close to his or her total household gross income.
- Claimant should have limited household assets, excluding primary home, car and personal belongings. If assets are jointly owned with someone other than the Claimant's spouse, typically only the Claimant's share is countable. In the case of a married Veteran, both spouse's assets are countable. There is no set limit of assets, but instead there is a calculation to determine whether the Claimant has sufficient assets to meet his/her lifetime needs. If the Claimant has over \$50,000, it is best to consult an Elder Law Attorney prior to making any changes to the Claimant's assets, changes to his/her estate plan and prior to submitting an application.

2012 Maximum Pension Rates for Aid and Attendance

Claimant	Monthly	Yearly	House-bound
Single Veteran	1,703	\$20,436	\$1,258
Married Veteran	\$2,019	\$24,228	\$1,564
Widowed Spouse	\$1,094	\$13,128	\$ 837
Veteran Married to Veteran	\$2,631	\$31,572	N/A
Dependent Children	Separate	Separate	N/A

Once awarded aid and attendance or housebound status, a Vet may obtain free medications, medical equipment, incontinence supplies, glasses and hearing aides from the VA hospital/clinic via the U.S. mail.

Contact us for a free consultation:

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*Each VA application is unique and the above criteria is generic in nature and may not apply to each Claimant.